

PROB 12D-MOD  
(01/13)

## UNITED STATES DISTRICT COURT

for

Western District of Washington

Request for Summons and  
Modification of the Conditions or Term of Supervision

**Name of Offender:** David Russell Myrland **Case Number:** 2:11CR00057RSM-001

**Name of Judicial Officer:** The Honorable Ricardo S. Martinez, U.S. District Judge

**Date of Original Sentence:** 12/02/2011 **Date of Report:** 01/10/2014

**Original Offense:** Transmission of Threatening Interstate Communication

**Original Sentence:** 40 months custody; 3 years TSR

**Type of Supervision:** Supervised Release **Date Supervision Commenced:** 01/29/2014

**Special Conditions Imposed:**

<input checked="" type="checkbox"/> Substance Abuse	<input checked="" type="checkbox"/> Financial Disclosure	<input checked="" type="checkbox"/> Restitution: \$1,961.72
<input checked="" type="checkbox"/> Mental Health	<input type="checkbox"/> Fine	<input type="checkbox"/> Community Service
<input checked="" type="checkbox"/> Other: Submit to search; participate in Moral Reconation Therapy; no contact with Joan McBride or Oskar Rey		

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 PETITIONING THE COURT

The offender has not waived a hearing. The probation officer requests a summons be issued and a hearing held to modify the conditions of supervision as follows:

The defendant shall reside in and satisfactorily participate in a residential reentry center program, as a condition of supervised release or probation for up to 180 days or until discharged by the Program Manager or U.S. Probation Officer. The defendant may be responsible for a 25% gross income subsistence fee.

## CAUSE

The probation officer believes that the action requested above is necessary for the following reasons:

Mr. Myrland released to the Residential Reentry Center (RRC) as a pre-release inmate on August 27, 2013. As he did not have a viable release address, this placement would have allowed Mr. Myrland the opportunity to transition back to the community. Because Mr. Myrland refused to submit to drug testing, Mr. Myrland was taken back into BOP custody on September 13, 2013, to serve the remainder of his custodial sentence. Subsequently, Mr. Myrland provided a release plan to reside with William P. McKoby. Given Mr. McKoby's criminal record, this address was not deemed appropriate. A Waiver of Hearing and Request to Modify Conditions of Release to include RRC placement was sent to Mr. Myrland for consideration. Mr. Myrland refused to speak with the attorney of record, Stephan Illa, regarding this request and he has reached out to Attorney Greg Mitchell. As of the submission of this report, Mr. Myrland has declined to sign the waiver and there has been no communication from Greg Mitchell.

In light of Mr. Myrland's direct release from custody on January 29, 2014, this officer is requesting a hearing to be held prior to that date. No other release address has been provided.



11-CR-00057-BR

The Honorable Ricardo S. Martinez, U.S. District Judge  
Request for Summons and Modification of the Conditions or Term of Supervision

Page 2 of 2

January 10, 2014

I swear under penalty of perjury that the foregoing is true and correct.

Executed on this 10th day of January, 2014.



Analiese D. Johnson  
U.S. Probation Officer

APPROVED:  
Connie Smith  
Chief U.S. Probation and  
Pretrial Services Officer

BY:



Christopher S. Luscher  
Supervising U.S. Probation Officer

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**THE COURT FINDS PROBABLE CAUSE AND ORDERS:**

- ☐ No Action Approved  
☒ The Issuance of a Summons  
(conditions of supervision shall remain in effect pending final adjudication)  
☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

  
\_\_\_\_\_  
Date

UNITED STATES DISTRICT COURT  
for the  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

United States of America  
v.

David Russell Myrland

Case No. CR11-57RSM

**SUMMONS IN A CRIMINAL CASE**

**YOU ARE SUMMONED** to appear before the United States district court at the time, date, and place set forth below to answer to one or more offenses or violations based on the following document files with the court:

☐ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Pretrial Violation Petition    ☐ Probation Violation Petition    ☒ Supervised Release Violation Petition  
☐ Violation Notice    ☐ Order of Court

Place: U.S. District Court  
700 Stewart St.  
Seattle, WA 98101

Courtroom: 13206

Before: Ricardo S. Martinez, U.S. District Judge

Date and Time: 02/13/2014 3:00 PM

This offense is briefly described as follows:

Violation of conditions of supervised release

Date: January 15, 2014



*Issuing officer's signature*

Rhonda Stiles, Deputy Clerk

*Printed name and title*

I declare under penalty of perjury that I have:

☐ Executed and returned this summons

☐ Returned this summons unexecuted

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*